UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE VIVENDI UNIVERSAL, S.A. SECURITIES LITIGATION

This Document Relates To:

07 Civ. 5742	07 Civ. 7370	
07 Civ. 7775	07 Civ. 7776	
07 Civ. 7778	07 Civ. 7779	
07 Civ. 7863	07 Civ. 7803	
07 Civ. 8208	07 Civ. 8156	
07 Civ. 9229	07 Civ. 8830	
07 Civ. 9593	07 Civ. 10578	
07 Civ. 10954	07 Civ. 10995	
07 Civ. 11092	07 Civ. 11297	
07 Civ. 11305	07 Civ. 11483	
07 Civ. 11484	07 Civ. 11485	
07 Civ. 11628	08 Civ. 0024	
08 Civ. 0116	08 Civ. 0117	
08 Civ. 0418	08 Civ. 0908	
08 Civ. 0950	08 Civ. 1111	
08 Civ. 1938	08 Civ. 01973	
08 Civ. 01974	08 Civ. 01983	
08 Civ. 01975	08 Civ. 01985	

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/23/08

No. 02 Civ. 5571 (RJH (HBP)

STIPULATION AND ORDER

WHEREAS Defendant Jean-Marie Messier served interrogatories upon the Plaintiffs in the above captioned actions ("Individual Plaintiffs") on January 14, 2008, including contention interrogatories, denominated Interrogatories 1-8 ("Messier's Contention Interrogatories");

WHEREAS Individual Plaintiffs served interrogatories upon Defendants Jean-Marie Messier, Vivendi Universal, S.A. and Guillaume Hannezo (collectively referred to as "Defendants") on March 14, 2008, including contention interrogatories, denominated Interrogatories 2-17 and 19 ("Individual Plaintiffs' Contention Interrogatories");

WHEREAS during a court conference before the Honorable Henry Pitman, United States Magistrate Judge, held April 3, 2008, Individual Plaintiffs and Defendants reached an

695533 v1 [4/10/2008 17:56] agreement whereby both sides would withdraw their contention interrogatories and, in place of Defendants' Contention Interrogatories and Plaintiffs' Contention Interrogatories, by May 15, 2008, Individual Plaintiffs agreed to provide a list to Defendants identifying each alleged misrepresentation or omission on which they rely in support of their claims, and, by June 15, 2008, Defendants agreed to identify which defenses, if any, apply to each alleged misrepresentation or omission on Individual Plaintiffs' list;

WHEREAS Magistrate Judge Pitman's order of April 10, 2008 strikes Individual Plaintiffs' Contention Interrogatories but omits any mention of Defendants' Contention Interrogatories;

IT IS HEREBY STIPULATED, BY AND BETWEEN THE UNDERSIGNED

COUNSEL, that Defendants withdraw Messier's Contention Interrogatories.

Dated: New York, New York April 11, 2008

Michael J. Malone, Esq.

King & Spalding LLP 1185 Avenue of the Americas

New York, New York 10036

(212) 556-2100

Attorneys for Defendant Jean-Marie Messier

Anthony J. Harwood, Esq. Labaton Sucharow LLP

140 Broadway

New York, New York 10005

(212) 907-0700

Michael Paskin, Esq. Cravath Swaine & Moore LLP Worldwide Plaza 825 Eighth Avenue New York, New York 10019 (212) 474-1000

Stuart L. Berman Schiffrin & Barroway, LLP 280 King of Prussia Radnor, Pennsylvania 19087 (610) 667-7706

agreement whereby both sides would withdraw their contention interrogatories and, in place of Defendants' Contention Interrogatories and Plaintiffs' Contention Interrogatories, by May 15, 2008, Individual Plaintiffs agreed to provide a list to Defendants identifying each alleged misrepresentation or omission on which they rely in support of their claims, and, by June 15, 2008, Defendants agreed to identify which defenses, if any, apply to each alleged misrepresentation or omission on Individual Plaintiffs' list;

WHEREAS Magistrate Judge Pitman's order of April 10, 2008 strikes Individual Plaintiffs' Contention Interrogatories but omits any mention of Interrogatories;

IT IS HEREBY STIPULATED, BY AND BETWEEN THE UNDERSIGNED

COUNSEL, that Defendants withdraw Messier's Contention Interrogatories.

Dated: New York, New York April 11, 2008

Michael J. Malone, Esq.
King & Spalding LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 556-2100
Attorneys for Defendant Jean-Marie Messier

Anthony J. Harwood, Esq. Labaton Sucharow LLP

140 Broadway

New York, New York 10005

(212) 907-0700

Michael Paskin, Esq. Cravath Swaine & Moore LLP Worldwide Plaza 825 Eighth Avenue New York, New York 10019 (212) 474-1000 Stuart L. Berman
Schiffrin & Barroway, LLP
280 King of Prussia
Radnor, Pennsylvania 19087

Radnor, Pennsylvania 19087

(610) 667-7706

agreement whereby both sides would withdraw their contention interrogatories and, in place of Defendants' Contention Interrogatories and Plaintiffs' Contention Interrogatories, by May 15, 2008, Individual Plaintiffs agreed to provide a list to Defendants identifying each alleged misrepresentation or omission on which they rely in support of their claims, and, by June 15, 2008, Defendants agreed to identify which defenses, if any, apply to each alleged misrepresentation or omission on Individual Plaintiffs' list;

WHEREAS Magistrate Judge Pitman's order of April 10, 2008 strikes Individual Plaintiffs' Contention Interrogatories but omits any mention of Defendants' Contention Interrogatories;

IT IS HEREBY STIPULATED, BY AND BETWEEN THE UNDERSIGNED

COUNSEL, that Defendants withdraw Messier's Contention Interrogatories.

Dated: New York, New York April 11, 2008

Michael J. Malone, Esq. King & Spalding LLP 1185 Avenue of the Americas New York, New York 10036 (212) 556-2100 Attorneys for Defendant Jean-Marie Messier Anthony J. Harwood, Esq. Labaton Sucharow LLP 140 Broadway New York, New York 10005 (212) 907-0700

Michael Paskin, Esq. Cravath Swaine & Moore LLP Worldwide Plaza 825 Eighth Avenue New York, New York 10019 (212) 474-1000

Stuart L. Berman Schiffrin & Barroway, LLP 280 King of Prussia Radnor, Pennsylvania 19087 (610) 667-7706 Penny Reid, Esq.

Weil Gotschal & Manges LLP

767 Fifth Avenue

New York, New York 10153

(212) 310-8000

Attorneys for Defendant Vivendi Universal S.A.

Martin L. Perschetz, Esq.
Schulte Roth & Zabel LLP
919 Third Avenue
New York, New York 10022
(212) 756-2000
Attorney for Defendant Guillaume Hannezo

Diane Toby Zilka
Grant & Eisenhofer, PA
485 Lexington Avenue, 29th Fl.
New York, New York
(302) 622-7095

Michael E. Elsner
Motley Rice LLC
28 Bridgeside Boulevard
P.O. Box 1792
Mount Pleasant, South
(843) 216-9000

Leslie Margaret Kelleher Caplin & Drysdale One Thomas Circle, N.W. Washington D.C. 20005 (202) 862-5000

Attorneys for Individual Plaintiffs

SO ORDERED:

Henry Pitman, United States Magistrate Judge

Dated: New York, New York April ___, 2008 Penny Reid, Esq. Weil Gotschal & Manges LLP 767 Fifth Avenue New York, New York 10153 (212) 310-8000 Diane Toby Zilka / Grant & Eisenhofer, PA 485 Lexington Avenue, 29th Fl. New York, New York 10017 (302) 622-7095

Attorneys for Defendant Vivendi Universal S.A.

Martin L. Perschetz, Esq.
Schulte Roth & Zabel LLP
919 Third Avenue
New York, New York 10022
(212) 756-2000
Attorney for Defendant Guillaume Hannezo

Michael E. Elsner
Motley Rice LLC
28 Bridgeside Boulevard
P.O. Box 1792
Mount Pleasant, South Carolina 29465
(843) 216-9000

Leslie Margaret Kelleher Caplin & Drysdale One Thomas Circle, N.W. Washington D.C. 20005 (202) 862-5000

Attorneys for Individual Plaintiffs

SO ORDERED:

Henry Pitman, United States Magistrate Judge

Dated: New York, New York April ___, 2008 Penny Reid, Esq. Weil Gotschal & Manges LLP 767 Fifth Avenue New York, New York 10153 (212) 310-8000

Attorneys for Defendant Vivendi Universal S.A.

Martin L. Perschetz, Esq.
Schulte Roth & Zabel LLP
919 Third Avenue
New York, New York 10022
(212) 756-2000
Attorney for Defendant Guillaume Hannezo

Diane Toby Zilka Grant & Eisenhofer, PA 485 Lexington Avenue, 29th Fl. New York, New York 10017 (302) 622-7095

Michael E. Elsner Motley Rice LLC 28 Bridgeside Boulevard P.O. Box 1792

Mount Pleasant, South Carolina 29465 (843) 216-9000

Leslie Margaret Kelleher Caplin & Drysdale One Thomas Circle, N.W. Washington D.C. 20005 (202) 862-5000

Attorneys for Individual Plaintiffs

SO ORDERED:

Henry Pitman, United States Magistrate Judge

Dated: New York, New York April __, 2008 Penny Reid, Esq. Weil Gotschal & Manges LLP 767 Fifth Avenue New York, New York 10153 (212) 310-8000 Diane Toby Zilka
Grant & Eisenhofer, PA
485 Lexington Avenue, 29th Fl.
New York, New York
(302) 622-7095

Attorneys for Defendant Vivendi Universal S.A.

Martin L. Perschetz, Esq.
Schulte Roth & Zabel LLP
919 Third Avenue
New York, New York 10022
(212) 756-2000
Attorney for Defendant Guillaume Hannezo

Michael E. Elsner
Motley Rice LLC
28 Bridgeside Boulevard
P.O. Box 1792
Mount Pleasant, South
(843) 216-9000
Carolina 29465

Leslie Margaret Kelleher Caplin & Drysdale One Thomas Circle, N.W. Washington D.C. 20005 (202) 862-5000

Attorneys for Individual Plaintiffs

SO ORDERED:

Henry Pitman, United States Magistrate Judge

Dated: New York, New York April 2, 2008